



THE CITY OF NEW YORK
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May 21, 2014

VIA ECF

Honorable James C. Francis
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: Mark Nunez, et al. v. City of New York, et al., 11-CV-5845 (LTS) (JCF)

Your Honor:

I am writing to request leave of Court, pursuant to Rule 30(a)(2)(B) of the Federal Rules of Civil Procedure, to take the deposition of plaintiff Keith Bacote, one of the plaintiffs in the above class action. Upon information and belief, plaintiff Bacote is currently incarcerated at Gouverneur Correctional Facility. City defendants respectfully request that the Court endorse two copies of the enclosed Order so that arrangements can be made to move plaintiff to Sing Sing Correctional Facility by June 20, 2014 for his lawyers to prepare him for his deposition, and for plaintiff Bacote to remain at Sing Sing Correctional Facility until June 26, 2014 so that defendants may take his deposition, beginning at 10:00 a.m. Because two original signed copies of the Order are necessary to move plaintiff Bacote, this office can arrange for the original signed Orders to be retrieved from the Courthouse once they have been endorsed by Your Honor.

Thank you for your consideration herein.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Diep Nguyen".

Diep Nguyen
Assistant Corporation Counsel

cc: All counsel (By ECF)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
MARK NUNEZ, et al.,

ORDER

Plaintiffs, 11-CV-5845 (LTS) (JCF)

-against-

THE CITY OF NEW YORK, et al.,

Defendants.
-----X

Upon the application of City defendants for leave to take the deposition of plaintiff Keith Bacote (DIN # 12-A-0599), an inmate, and the Court having granted leave for the taking of plaintiff Bacote's deposition pursuant to Rule 30(a)(2)(B) of the Federal Rules of Civil Procedure,

IT IS HEREBY ORDERED: (1) that on June 20, 2014, the Superintendent or other official in charge of Gouverneur Correctional Facility transport and produce inmate Keith Bacote, Inmate No. 12-A-0599, from Gouverneur Correctional Facility, located in Gouverneur, New York to Sing Sing Correctional Facility, located in Ossining, New York for the preparation and/or taking of his deposition, and for so long thereafter, from day to day, as the preparation and/or deposition continues; and (2) that inmate Keith Bacote appears in such place(s) as designated by the Warden or other official in charge of Sing Sing Correctional Facility so his deposition may be taken on June 26, 2014, beginning at 10:00 a.m.

Dated: New York, New York

_____, 2014

HONORABLE JAMES C. FRANCIS